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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA, ) No. CR-12-00495 SBA  
14 Plaintiff, ) STIPULATED REQUEST TO SET  
15 v. ) CHANGE OF PLEA AND SENTENCING  
16 JASON KEITH BARRETT, ) ON JANUARY 16, 2013 AND TO  
17 Defendant. ) EXCLUDE TIME UNDER THE SPEEDY  
18 ) TRIAL ACT  
19 \_\_\_\_\_ Date: September 28, 2012  
Time: 9:30 a.m.  
Court: Hon. Kandis A. Westmore

20 The above-captioned matter is set on September 28, 2012 before this Court for a status  
21 hearing. The parties request that this Court vacate that date as to defendant Jason Keith Barrett  
22 and set this matter for change of plea and sentencing on January 16, 2013 at 10:00 a.m., and that  
23 the Court exclude time under the Speedy Trial Act between the date of this stipulation and  
24 January 16, 2013.

25 The parties have reached an agreement pursuant to Rule 11(c)(1)(C) of the Federal Rules  
26 of Criminal Procedure and will submit the proposed plea agreement to the Court at the same time  
27 as this stipulation. To allow time for the Court to consider the proposed plea agreement and for  
28 the preparation of a Presentence Investigation Report by the United States Probation Office, the

STIP. REQ. TO SET CHANGE OF PLEA & SENTENCING ON JANUARY 16, 2013 & TO EXCLUDE TIME  
No. CR-12-00495 SBA

1 parties request that this matter be set on January 16, 2013 at 10:00 a.m. for change of plea and  
2 sentencing (assuming the proposed plea agreement is acceptable to the Court). Defendant agrees  
3 that the Court may review the pre-plea Presentence Investigation Report even though he has not  
4 yet pleaded guilty. Since the proposed plea agreement has been submitted to the Court, the  
5 parties further stipulate and agree that the time between September 13, 2012 and January 16,  
6 2013 should be excluded under the Speedy Trial Act, and specifically pursuant to 18 U.S.C. §  
7 3161(h)(1)(G), for consideration by the Court of a proposed plea agreement to be entered into by  
8 the defendant and the attorney for the government.

9

10 DATED: September 13, 2012

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13 \_\_\_\_\_/s/ JAMES C. MANN  
14 Assistant United States Attorney  
Counsel for United States

15 \_\_\_\_\_/s/ JOHN MICHAEL RUNFOLA  
16 Counsel for Jason Keith Barrett

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

11	UNITED STATES OF AMERICA,	)	No. CR-12-00495 SBA
12	Plaintiff,	)	ORDER GRANTING STIPULATED
13	v.	)	REQUEST TO SET CHANGE OF PLEA
14	JASON KEITH BARRETT,	)	AND SENTENCING ON JANUARY 16,
15	Defendant.	)	2013 AND TO EXCLUDE TIME UNDER
16		)	THE SPEEDY TRIAL ACT
17		)	Date: September 28, 2012
		)	Time: 9:30 a.m.
		)	Court: Hon. Kandis A. Westmore

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19       The parties jointly requested that the September 28, 2012 status hearing as to defendant  
20 Jason Keith Barrett be vacated and that this matter be set for change of plea and sentencing on  
21 January 16, 2013 at 10:00 a.m. The parties further requested that time be excluded under the  
22 Speedy Trial Act between September 13, 2012 and January 16, 2013 to allow time for the Court  
23 to consider the proposed plea agreement to be entered into by the defendant and the attorney for  
24 the government, and to allow time for the preparation of a Presentence Investigation Report by  
25 the United States Probation Office. Defendant agreed that the Court may review the pre-plea  
26 Presentence Investigation Report even though he has not yet pleaded guilty. Good cause  
27 appearing therefor, and pursuant to 18 U.S.C. § 3161(h)(1)(G),  
28

STIP. REQ. TO SET CHANGE OF PLEA & SENTENCING ON JANUARY 16, 2013 & TO EXCLUDE TIME  
No. CR-12-00495 SBA

1           **IT IS HEREBY ORDERED** that this matter as to defendant Jason Keith Barrett is set  
2 for change of plea and sentencing on January 16, 2013 at 10:00 a.m., and that time between  
3 September 13, 2012 and January 16, 2013 is excluded under the Speedy Trial Act, and  
4 specifically pursuant to 18 U.S.C. § 3161(h)(1)(G), for consideration by the Court of a proposed  
5 plea agreement to be entered into by the defendant and the attorney for the government.

6           **IT IS FURTHER ORDERED** that the United States Probation Office shall prepare a  
7 Presentence Investigation Report.

8  
9 DATED:9/18/12

*Saundra B Armstrong*  
10 HON. SAUNDRA BROWN ARMSTRONG  
United States District Court Judge